

ORIGINAL

1 ZhengZhiHua.rem

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FILED

DISTRICT COURT OF GUAM

JAN 26 2006

MARY L.M. MORAN
CLERK OF COURT

7 Attorneys for the United States of America

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF GUAM

10
11 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 00-00115
12 Plaintiff,)
13 vs.) PETITION TO REMIT SPECIAL
14 ZHI HUA ZHENG) ASSESSMENT FEE
15 Defendant.) [18 U.S.C. § 3573]
16

17 COMES NOW the United States of America, by and through its undersigned counsel, and
18 respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting
19 the unpaid special assessment fee earlier imposed upon Defendant ZHI HUA ZHENG and in
20 support hereof, states as follows:

21 1. On November 25, 2003, sentence was imposed by this Court against Defendant
22 ZHI HUA ZHENG. Among other things, a \$200.00 special assessment fee was ordered. The
23 total amount now owed by said Defendant is \$200.00.

24 2. Upon information received from the Immigration and Customs Enforcement
25 Deportable Alien Control System (ICE/DACS), the defendant, ZHI HUA ZHENG was deported
26 to China on April 20, 2004. See Exhibit "A."

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1 3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent
2 part as follows:

3 Upon petition by the Government showing that reasonable efforts to
4 collect a fine or assessment are not likely to be effective, the court may, in the
5 interest of justice --

6 (1) remit all or part of the unpaid portion of the fine or special assessment,
7 including interest and penalties

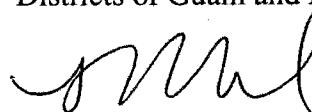
8 4. The United States Attorney has determined that in light of Defendant's
9 deportation, there is no reasonable likelihood that expending further efforts to collect the special
10 assessment fee will produce any revenue to the United States. To the contrary, any further efforts
will needlessly expend resources that could be better directed to areas with greater potential for
recovery.

11 5. The interests of justice mitigate in favor of remission of the unpaid special
12 assessment fee.

13 WHEREFORE, the United States of America respectfully requests that this Court
14 enter an order remitting the unpaid special assessment fee imposed upon Defendant ZHI HUA
15 ZHENG.

16 DATED this 26th day of January, 2006.

17
18 LEONARDO M. RAPADAS
19 United States Attorney
20 Districts of Guam and NMI



21 By:

22 _____
23 MARIVIC P. DAVID
24 Assistant U.S. Attorney

A-NUM : 075253605
NATLTY: CHINA

LAST-NAME : ZHENG
FIRST-NAME: ZHI HUA

DATE-DOCKET-CLEARED: 04/22/2004

DEPART-CLEARED-STAT: 6

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 04/20/2004

PORT-DEPARTED: AGA

DEPART-COUNTRY: CHINA

FINAL-CHARGE: R2A3

EXPENSE-CODE: 5

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

